

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Ronald Crawley,)	
)	
Petitioner,)	Case No. 1:09-CR-83
)	
vs.)	
)	
United States of America,)	
)	
Respondent.)	

ORDER

Petitioner Ronald Crawley is a federal prisoner currently serving a 240-month sentence for being a felon in possession of firearm in violation of 18 U.S.C. § 922(g)(1). At the time of sentencing in May 2010, Petitioner was determined to be subject to a 15-year mandatory minimum sentence under the Armed Career Criminal Act (“ACCA”), 18 U.S.C. § 924(e), because he had three prior convictions for “violent felonies.” In March 2016, the Sixth Circuit Court of Appeals issued an order authorizing the Court to consider a second or successive motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 on the grounds that Petitioner no longer qualifies for the ACCA mandatory minimum sentence in light of the U.S. Supreme Court’s decision in Johnson v. United States, 135 S. Ct. 2551 (2015). Doc. Nos. 104 & 105. Petitioner filed his § 2255 in May 2016. The government now concedes that Petitioner is entitled to relief from his sentence. Doc. No. 109.

The Court’s review of the relevant state court documents also finds that Petitioner’s prior convictions for aggravated robbery and complicity to commit aggravated robbery no longer qualify as predicate ACCA convictions. Accordingly, Petitioner is entitled to relief

from the ACCA mandatory minimum sentence.

IT IS THEREFORE ORDERED THAT:

1. Petitioner's motion to vacate, set aside or correct sentence (Doc. No. 108) is well-taken and is **GRANTED**.
2. The Probation Department is ordered to prepare a supplement to the presentence investigation report which shall include a revised advisory Sentencing Guidelines calculation, a review of Petitioner's prison disciplinary record, and a recommended sentence.
3. This matter will be scheduled for a re-sentencing hearing at an appropriate time.

Date July 5, 2016

s/Sandra S. Beckwith
Sandra S. Beckwith
Senior United States District Judge